



U.S. Department of Justice

United States Attorney
Southern District of New York

Application GRANTED in part and DENIED in part. By **March 28, 2023**, the parties shall file a status letter either stating that they have reached a settlement in principle and the case can be dismissed, proposing a briefing schedule for a motion for costs and fees or providing a date certain by which any necessary approvals will be secured.

Dated: March 7, 2023
New York, New York

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: *American Civil Liberties Union et al. v. Office of the Director of National Intelligence, et al.*, 18 Civ. 12131 (LGS)

Dear Judge Schofield:

I write on behalf of both parties in the above-captioned FOIA lawsuit to provide a status report, as required by the Court's January 19, 2022 order, ECF No. 85.

As previously noted, the only open issue is Plaintiffs' claim for costs and attorneys' fees. The parties have had further discussion about Plaintiffs' claim, and counsel for both parties have discussed resolving the claim at a specific dollar amount. As we noted last month, the parties are working to see whether it is possible to obtain the necessary approvals for this potential resolution. For the government, this process has taken some time because of the formal process for determining whether to authorize a settlement, as well as the number of agencies involved.

Because the parties continue to work together productively, we respectfully request that the Court maintain the regular status report requirement.

I thank the Court for its consideration of this matter.

Respectfully,

DAMIAN WILLIAMS
United States Attorney

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cc: Counsel for Plaintiffs (by ECF)